

S.R. 196 - By Senator Aikin: Extending welcome to Don Rives.

S.R. 197 - By Senator Aikin: Extending welcome to Mr. and Mrs. Alfred Cathcart and Dr. Ross Alsup.

S.R. 198 - By Senator Aikin: Extending welcome to W. M. Dorsett.

S.R. 199 - By Senator Blanchard: Extending congratulations to Lubbock Avalanche-Journal.

S.R. 200 - By Senator Herring: Extending welcome to Texas League of Women Voters.

S.R. 201 - By Senator McKinnon: Extending welcome to Judge Percy Hartman, et al.

ADJOURNMENT

On motion of Senator Aikin the Senate at 11:55 o'clock a.m. adjourned until 10:30 o'clock a.m. tomorrow.

TWENTY-EIGHTH DAY (Wednesday, February 28, 1973)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present: Adams, Aikin, Andujar, Blanchard, Braecklein, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

The following Senator was absent-excused: Brooks.

A quorum was announced present.

The Reverend Merle G. Franke of First English Lutheran Church, Austin, Texas, offered the invocation as follows:

God why is it that power has such great appeal to us? The power to create or the power to destroy, the power to elevate life or to bury it, the power to enact laws to imprison the lives of people, or laws to free them for the fulfillment of Your purpose. All power God, good and bad alike lurks in the hallways of our hearts threatening to become our master to make us its slave. But I guess You knew that God. So today give wisdom and grace to this assembly to be the master of its power and enable us all to have a good day. Amen.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

LEAVE OF ABSENCE

Senator Brooks was granted leave of absence for today on account of important business on motion of Senator Wallace.

REPORTS OF STANDING COMMITTEES

Senator Herring submitted the following reports for the Committee on Jurisprudence:

Nomination of Tom F. Coleman to be Chief Justice of the Court of Civil Appeals for the First Supreme Judicial District of Texas.

Nomination of James T. Hale, Jr., to be a Member of The Texas Board of Private Investigators and Private Security Agencies.

Nomination of Robert C. McGinnis to be a Member of the State Judicial Qualifications Commission.

S.B. 123

S.B. 64

C.S.S.B. 3 (Read first time)

Senator Mauzy submitted the following reports for the Committee on Education:

S.B. 215

S.B. 293

Nominations of William Garland Button, Cam F. Dowell, and G. C. Morris, to be Members of East Texas State University Board of Regents.

MESSAGE FROM THE HOUSE

Hall of the House of Representatives
Austin, Texas, February 28, 1973

Honorable William P. Hobby
President of the Senate

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H.B. 166, A bill to be entitled An Act relating to the right of an injured employee to select a licensed physician or chiropractor under workmen's compensation law; amending Section 7, Article 8306, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency.

H.B. 457, A bill to be entitled An Act appropriating money to Texas Southern University for repair of damage to the Pharmacy Building caused by fire, for replacement of damaged or destroyed items, and payment of appraisal fees; and declaring an emergency.

Respectfully submitted,
DOROTHY HALLMAN
Chief Clerk, House of Representatives

SENATE BILLS AND RESOLUTIONS ON FIRST READING

The following bills and resolutions were introduced, read first time and referred to the Committee indicated:

By Senator Brooks:

S.B. 390, A bill to be entitled An Act amending Senate Bill 36, Page 544, General Laws of the State of Texas, Acts of the 46th Legislature, Regular Session, 1939, as amended by House Bill 611, Chapter 562, Page 914, General and Special Laws of the State of Texas, 47th Legislature, Regular Session, 1941, as amended (Article 695c, Vernon's Texas Civil Statutes); by amending Sections 7 and 7-A pertaining to Commodities; by adding a new Section 7-B to provide for the establishment of a statewide "Food Stamp Program" to be administered by the State Department of Public Welfare; authorizing the State Department to accept and expend funds, authorizing assessments; authorizing research and demonstration projects, authorizing a method of deducting funds from money payments of recipients for the purchase of food stamps, providing for personnel in accordance with a merit system; providing for the promulgation of reasonable rules and regulations for determining eligibility for Food Stamps; by adding a new Section 7-C providing for the detection and prosecution of fraud and for recovery of losses; by adding a new Section 7-D authorizing the bonding of employees, providing for indemnification against losses, and authorizing the State Department to take steps necessary to operate the Programs, safeguarding confidentiality of records and adherence to the Civil Rights Act of 1964; by adding a new Section 7-E relating to the acquisition of office space; and by amending Section 2, Article XX of Chapter 184, Acts of the 47th Legislature, Regular Session, 1941, codified as Article 7083a, Vernon's Texas Civil Statutes, so as to create a "Food Stamp Fund" in the Treasury and for making allocations thereto; providing a repealing clause, a savings clause; and declaring an emergency.

To Committee on State Affairs.

By Senator Mengden:

S.B. 394, A bill to be entitled An Act providing for civil liability for damages for all participants in a riot; and declaring an emergency.

To Committee on Jurisprudence.

By Senator Mengden:

S.B. 395, A bill to be entitled An Act providing for the detention of a witness to a developing or an in-process riot or civil insurrection, fixing a time limit, providing penalties; and declaring an emergency.

To Committee on Jurisprudence.

By Senator Mengden:

S.B. 396, A bill to be entitled An Act relating to a city or town's liability in case of riot or other disturbance; amending the Texas Tort Claims Act, as amended (Article 6252-19, Vernon's Texas Civil Statutes), by adding Section 3a and by amending Section 14; and declaring an emergency.

To Committee on Jurisprudence.

By Senator Santiesteban:

S.B. 398, A bill to be entitled An Act authorizing the Commissioner of the General Land Office to convey to private individuals or entities any title of the State of Texas in certain sections of land situated in El Paso County in exchange for other land of equal value in the vicinity of the Hueco Tanks State Park; and declaring an emergency.

To Committee on State Affairs.

By Senators Gammage and Brooks:

S.B. 399, A bill to be entitled An Act relating to awarding attorneys'

fees in any civil action in which the court finds that equity would be served by the award; providing for review of the award; and declaring an emergency.

To Committee on Jurisprudence.

By Senator Gammage:

S.B. 400, A bill to be entitled An Act relating to the compiling, distributing, and posting of a list of the 100 most commonly prescribed drugs; amending Chapter 107, Acts of the 41st Legislature, Regular Session, 1929, as amended (Article 4542a, Vernon's Texas Civil Statutes), by adding Section 26; amending Subsection (d), Section 17, Chapter 107, Acts of the 41st Legislature, Regular Session, 1929, as amended (Article 4542a, Vernon's Texas Civil Statutes); providing penalties; and declaring an emergency.

To Committee on Human Resources.

By Senator Jones:

S.B. 401, A bill to be entitled An Act relating to policies of group life insurance which may be delivered in this state; adding Subsection (6A) to Section 1, Article 3.50, Insurance Code, as amended; and declaring an emergency.

To Committee on Economic Development.

By Senator Hightower:

S.B. 404, A bill to be entitled An Act relating to the release of a juror by the court for reasonable excuse and the dismissal of certain members of a jury panel; amending Article 2120, Revised Civil Statutes of Texas, 1925, as amended; repealing Section 14, Chapter 905, Acts of the 62nd Legislature, Regular Session, 1971; and declaring an emergency.

To Committee on Jurisprudence.

By Senator Mengden:

S.J.R. 17, Proposing a constitutional amendment to Article VIII of the Texas Constitution, exempting from property taxes fifty percent of the assessed value of certain residences of persons 65 years old or older whose annual income is at or below certain specified amounts.

To Committee on State Affairs.

By Senator Hightower:

S.C.R. 44, Requesting Texas Agriculture Commissioner to study livestock identification, inspection and enforcement laws in force in states surrounding Texas and to report findings to the Legislature within thirty days.

To Committee on Administration.

By Senators Mauzy and Sherman:

S.R. 209, Directing Coordinating Board, Texas College and University to study requirements of post secondary education in Texas until 1980.

To Committee on Education.

By Senators Meier, Mengden, Ogg, Clower, Adams, Longoria, Gammage, Jones, Harris, McKinnon, Traeger, Herring, Mauzy, McKnight, Wolff, Schwartz, Aikin, Snelson, Moore, Harrington, Wallace, Sherman, Kothmann, Braecklein and Santiesteban:

S.R. 219, Providing that any bill or joint resolution requiring an expenditure of funds, other than the General Appropriations bill, shall have attached a separate statement or fiscal note signed by the Director of the Legislative Budget Board.

To Committee on Administration.

HOUSE BILLS ON FIRST READING

The following bills received from the House, were read the first time and referred to the Committees indicated:

H.B. 457, To Committee on Finance.

H.B. 166, To Committee on Human Resources.

HOUSE BILL 189 ON SECOND READING

On motion of Senator Adams and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H.B. 189, A bill to be entitled An Act relating to including Nacogdoches County under the Uniform Wildlife Regulatory Act; etc.; and declaring an emergency.

The bill was read second time and was passed to third reading.

HOUSE BILL 189 ON THIRD READING

Senator Adams moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that H.B. 189 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 2.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

Nays: Jones and Mengden.

Absent-excused: Brooks.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

HOUSE BILL 129 ON SECOND READING

On motion of Senator Sherman and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H.B. 129, A bill to be entitled An Act relating to the compensation of the stenographers, assistants, and investigators of the district attorney of the 69th Judicial District; etc.; and declaring an emergency.

The bill was read second time and was passed to third reading.

HOUSE BILL 129 ON THIRD READING

Senator Sherman moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that H.B. 129 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 2.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

Nays: Jones and Mengden.

Absent-excused: Brooks.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Treager, Wallace and Wolff.

Absent-excused: Brooks.

HOUSE CONCURRENT RESOLUTION 9 ON SECOND READING

The President laid before the Senate the following resolution:

H.C.R. 9, Requesting the Attorney General to institute a lawsuit for the purpose of securing for the State of Texas all of the funds for water pollution control which were appropriated by the Congress.

The resolution was read.

On motion of Senator Gammage and by unanimous consent, the resolution was considered immediately and was adopted.

RECORD OF VOTE

Senators Mengden, Harris, Andujar, Jones and Herring asked to be recorded as voting "Nay" on the resolution.

REASON FOR VOTE

After 4 years of intensive study of Federal programs to halt ruinous inflation, recommendations have been to reduce Federal spending. In environmental programs the Environmental Protection Agency has allotted to the States \$5 billion of new authorization to make grants for waste treatment construction. With \$5.1 billion in additional funds already available for payment on new projects and projects for which the federal government has made prior commitments, a total of \$10.1 billion has been set aside for waste treatment facilities.

The base cause of inflation is an unbalanced federal budget because money is a function of government and the value of our currency rests with the solvency of our government. As the government approaches insolvency, the currency drops in value.

If the rate in inflation becomes too excessive, the result of this inflation is that the economy will stop. The reason is because the dollar will be losing value so fast people will stop exchanging any goods of real value for dollars. In other words, suppose you had a cow and you wanted to sell it for so

many dollars, but the dollar was losing value so rapidly it costs you more for a quart of milk the week after you sold the cow than you received for the cow, you wouldn't sell your cow because you wouldn't know what value you were actually getting, and when this point of inflation is reached, the economy will stop, and in the same quick manner as the lights above, if you went over to the wall and turned off the electrical light switch.

Now this isn't conjecture; this has happened before, many times, throughout the history of man. Like Shakespeare said, "The past is prelude." This has happened in our life time in Germany under the Weimar republic in the late 1920's when the mark began inflating so fast the German economy stopped. And that's how they got Adolph Hitler. And if you want Adolph Hitler in America, or a guy like him, that's the way to get him. If you don't control inflation, and lose control of it, you will destroy the economy, and in a few weeks there will be no food to buy, little water, no electricity and services, and there will be such panic and disaster that some hard-pants general is going to move in and say, "I am now running the show," and the Army or somebody like him will take over, and that's the end of the Constitutional Republic. And that's what's going to happen if we don't control inflation.

Look at the dollar on the European Market. That's where the real value of the dollar has been reflected, because that's a free market. The dollar is going down like a rock, and that's because of the fiscal imbalance in Washington. The President, as Chief Executive, is responsible for the survival of the country, which is the same thing as the survival of the economy, or the form of the government we have is dependent upon the survival of the economy, and he is trying to get control of the fiscal expenditures to bring government outgo into balance with government income, which is the cause of inflation. He has got to control it or we are going to lose the whole ballgame.

And I don't understand people who can't see this--who are so short-range in their vision that they are willing to try to reach their own ends, which may in the end result in their losing their country, which means losing everything they've got.

MENGDEN

SENATE BILL 178 ON SECOND READING

On motion of Senator Wolff and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 178, A bill to be entitled An Act amending statutes; providing for the waiver of license fees for the State of Texas and its departments, divisions, boards, and agencies; and declaring an emergency.

The bill was read second time and was passed to engrossment.

SENATE BILL 178 ON THIRD READING

Senator Wolff moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that S.B. 178 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 2.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

Nays: Jones and Mengden.

Absent-excused: Brooks.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

SENATE CONCURRENT RESOLUTION 35 ON SECOND READING

The President laid before the Senate the following resolution:

S.C.R. 35, Authorizing Administration Committees of Senate and House of Representatives of 63rd Legislature to acquire bronze bust of President Lyndon B. Johnson.

The resolution was read.

On motion of Senator Hightower and by unanimous consent, the resolution was considered immediately and was adopted.

SENATE CONCURRENT RESOLUTION 37 ON SECOND READING

The President laid before the Senate the following resolution:

S.C.R. 37, Granting permission to Bateson Construction Company to sue the State of Texas.

The resolution was read.

On motion of Senator Herring and by unanimous consent, the resolution was considered immediately and was adopted.

NOTICE OF EXECUTIVE SESSION

Senator McKinnon gave notice that he would move for an Executive Session of the Senate at 11:30 o'clock a.m. tomorrow.

MEMORIAL RESOLUTIONS

S.R. 202 - By Senator Snelson: Memorial resolution for Mrs. W. A. (Julie) Halamicek.

S.R. 203 - By Senator Snelson: Memorial resolution for Mrs. Mary Breeding Dean.

S.R. 204 - By Senator Snelson: Memorial resolution for Mrs. F. H. Lanham, Sr.

S.R. 205 - By Senator Snelson: Memorial resolution for Frank C. Billings.

S.R. 208 - By Senators Herring and Schwartz: Memorial resolution for Dr. Glevis W. Cleveland.

S.R. 212 - By Senator Snelson: Memorial resolution for J. C. "Jess" Miles.

S.R. 213 - By Senator Snelson: Memorial resolution for Charles A. Wimer.

S.R. 214 - By Senator Snelson: Memorial resolution for Dee Newton.

S.R. 215 - By Senator Snelson: Memorial resolution for James Marius "Jimmy" Jacobsen.

WELCOME AND CONGRATULATORY RESOLUTIONS

S.R. 206 - By Senator Ogg: Extending welcome to Larry Ogg and Kent Nix.

S.R. 207 - By Senator Adams: Extending congratulations to Frank Johnson.

S.R. 210 - By Senator Herring: Extending welcome to students from Dill Elementary School.

S.R. 211 - By Senator Herring: Extending welcome to students from Redeemer Lutheran School.

S.R. 216 - By Senator McKinnon: Extending welcome to students from Riviera High School.

S.R. 217 - By Senator Herring: Extending welcome to students from Rosedale Elementary.

S.R. 218 - By Senator Clower: Extending congratulations to Shelly Sain Clower on her birthday.

ADJOURNMENT

On motion of Senator Aikin the Senate at 11:15 o'clock a.m. adjourned until 10:30 o'clock a.m. tomorrow.

TWENTY-NINTH DAY (Thursday, March 1, 1973)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

A quorum was announced present.

The Reverend Merle G. Franke of First English Lutheran Church, Austin, Texas, offered the invocation as follows:

It's raining God and the rain reminds us of the blessings You give to us. Showers for our growth and nourishment for food and all living things. But we